

CODE ENFORCEMENT BOARD
1st FLOOR COMMISSION CHAMBER
FORT LAUDERDALE CITY HALL
100 NORTH ANDREWS AVENUE
SEPTEMBER 24, 2013
9:00 A.M.

<u>Board Members</u>	<u>Attendance</u>	Cumulative attendance 2/2013 through 1/2014	
		<u>Present</u>	<u>Absent</u>
Howard Nelson, Chair	P	6	2
Howard Elfman, Vice Chair	P	8	0
Paul Dooley	P	8	0
Genia Ellis	P	8	0
Joan Hinton	P	7	1
Jan Sheppard	P	6	2
Chad Thilborger	P	8	0
PJ Espinal [Alternate]	A	2	6
Joshua Miron [Alternate]	A	2	6
Robert Smith [Alternate]	P	5	3

Staff Present

Bruce Jolly, Board Attorney
 Ginger Wald, Assistant City Attorney
 Yvette Ketor, Secretary, Code Enforcement Board
 Peggy Burks, Clerk III
 Lori Grossfeld, Clerk III
 Bridget Patterson, Administrative Aide
 Jeri Pryor, Code Enforcement Supervisor/Clerk
 Robert Masula, Building Inspector
 George Oliva, Building Inspector
 Gerry Smilen, Building Inspector
 Jamie Opperee, Prototype Inc., Recording Secretary

Communication to the City Commission

None.

Respondents and Witnesses

CE13041115: Kevin Hinds, owner
 CE12090938: Raphael Sopher, owner
 CE11072308: Alan Certain Jr., owner
 CE12121194: Yoav Peretz, realtor
 CE12051126: Michael Lucente, power of attorney
 CE13031708: Elton Karaj, co-owner

CE12120388: Maurice Hynes, owner
CE13041345: Brian Carr, owner's representative
CE13020243: Joel Pierce, property manager
CE11060536: George Brown Jr., pastor
CE11031789: Audrey Burgher, owner
CE12070510: Geraldo Nunez, owner
CE12020630: Charles Falcone, owner
CE12090567: Andrew James Holland, owner
CE12010620: Luis Rene Castillo-Olivera, owner
CE13082134: Sidney Keithley, owner
CE13011049: John Leech, owner's representative
CE13031575: Peter Pedelty, owner
CE12020791: Keith Strunin, attorney
CE13041042: Michael Widoff, attorney
CE13050005: George March, owner
CE12050435: Merielyn Chagas, owner's representative
CE09040018: Eve Kearse, owner; Jerome Key, owner's friend
CE13031021: Ronald Reed, owner
CE12050122: Balsa Baletic, owner
CE12100262: Jack Wolf, agent

Chair Nelson called the meeting to order at 9:00 a.m., introduced Board members and explained the procedures for the hearing.

Individuals wishing to speak on any of the cases on today's agenda were sworn in.

Case: CE12051126

327 Southwest 20 Street
TOSSIO, TEDDY

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13. This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Gerry Smilen, Building Inspector, reported that the plumbing permit had been approved but not picked up and the window permit had failed review.

Mike Lucente, the owner's nephew and power of attorney, said the plumbing permit had been approved and picked up by the plumbing contractor. The window permit had failed review and he needed the entire permit package from the contractor to resubmit.

Inspector Smilen confirmed that the window permit application had been checked out on July 29 by the contractor. The plumbing permit had not been paid for and picked up. Inspector Smilen did not support any extension. Mr. Lucente stated he had pulled an electrical permit for the entire service and this had been approved. Inspector Smilen confirmed that there was a 2012 electrical permit that had been closed out, but he was unsure if this complied the washer/dryer electrical issues.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a roll call vote, with Mr. Elfman, Ms. Sheppard and Mr. Dooley opposed, motion passed 4-3.

Case: CE13031708

401 Riviera Isle #101
ROBINSON, BENJAMIN

This case was first heard on 6/25/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, said the permit application had failed review and the architect had informed him he was preparing plans. He recommended a 28-day extension.

Elton Karaj, co-owner, stated he had pulled the permit on 8/26 and the architect had promise the drawings by 9/27.

Motion made by Ms. Sheppard, seconded by Mr. Elfman, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13011049

1510 Southeast 15 Street # 302
LEECH, MIKE

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13. This case was first heard on 6/25/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Gerry Smilen, Building Inspector, stated he had confirmed that the permit had not addressed the damaged floor joists; it had only addressed remodeling the bathroom. He reported the owner had hired an engineer to assess the situation.

John Leech, the owner's brother, said his brother had hired the engineer. He read from the engineer's report dated 9/5/13, in which he indicated that the joists were sound. Mr. Leech submitted a copy of the report into evidence. Inspector Smilen stated the case was now complied.

Case: CE13020243

808 Southwest 2 Street
JANZAN, RUSSEL A S

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13. This case was first heard on 8/27/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Gerry Smilen, Building Inspector, said there had been no progress and recommended imposition of the fines.

Joel Pierce, property manager, said they had hired a contractor to create the drawings and the owner intended to comply. Inspector Smilen confirmed that this property was in the historic district. Ms. Sheppard noted that the owner must appear before the Historic Preservation Board.

Motion made by Mr. Thilborger, seconded by Mr. Elfman, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE09040018

3220 Northwest 63 Street
KEARSE, EVE

Service was via posting on the property on 9/18/13 and at City Hall on 9/13/13. This case was first heard on 3/23/10 to comply by 8/24/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Robert Masula, Building Inspector, reported the window and shutter permits had been submitted and failed review in February 2013 and no corrections had been submitted. There had been no application for plumbing or electrical permits. Inspector Masula had

spoken with Ms. Kearse and her contractor, detailing for them what was needed to comply.

Eve Kearse, owner, said they had submitted paperwork and drawings but the City kept returning them for failing review.

Jerome Key, contractor, explained there had been confusion regarding the product approvals for the permit applications. He said he had just been informed by Inspector Masula that he needed an architect or engineer to conduct the wind load calculations for the application, which he had recently found a builder to do. He had also been unaware he needed drawings for the plumbing work.

Motion made by Ms. Ellis, seconded by Ms. Hinton, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, with Ms. Sheppard and Chair Nelson opposed, motion passed 5-2.

Case: CE13041042

2115 Northeast 37 Street
CORAL RIDGE CC PROPERTIES LLC

This case was first heard on 7/23/13 to comply by 8/27/13. Violations were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, stated two permits had been pulled and closed for the window and shutters. He was confident that the railing permit would be issued soon and recommended a 28-day extension.

Michael Widoff, attorney, agreed the work would be done within 28 days.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11060536

920 Northwest 9 Avenue
JAGITIANI, JAY

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13. This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Gerry Smilen, Building Inspector, reported the parking situation was delaying progress. He believed the owner and the City were working on a parking agreement and recommended an extension.

George Brown Jr., pastor, said he would meet later in the day with Greg Brewton and they were working to resolve the issues.

Motion made by Mr. Thilborger, seconded by Mr. Elfman, to grant a 126-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12100262

4761 Bayview Drive
BYALICK, MITCHELL H/E
BYALICK, MARICE

Service was via posting on the property on 9/18/13 and at City Hall on 9/13/13. This case was first heard on 8/27/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Robert Masula, Building Inspector, reported the permit was ready for pickup and recommended a 28-day extension.

Jack Wolfe, agent, stated he intended to pick up the permit later in the day and he hoped to have inspections later in the week.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13050005

2820 Northeast 30 Street # 2
MARCH, GEORGE P H/E
CESARIO, LINDA

This case was first heard on 7/23/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported the permit had been issued. The work had failed an inspection the previous day and corrections were being made. He stated the owner must prove that the pavers in the rear had been included under a 2011 permit or obtain one now. He recommended a 28-day extension.

George March, owner, said the permit for the pavers had been closed out in 2011. He was unsure if his pavers had been included under the permit.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11031789

1121 North Andrews Avenue
BURGHER, AUDREY

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 7/23/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

George Oliva, Building Inspector, said the owner was in the process of pulling the permits and recommended a 63-day extension.

Audrey Burgher, owner, confirmed she had plans that would be submitted the following day.

Motion made by Mr. Thilborger, seconded by Ms. Sheppard, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12070510

1300 Northeast 1 Avenue
SIGARAN, GERALDO M JR

This case was first heard on 7/23/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported the master, plumbing and electrical permits were ready to be issued. The owner had requested additional time to pay for the permits.

Geraldo Sigaran, owner, stated the permits carried a double fee, which he could not afford right now because he was on disability. He asked how he could get the fee reduced and Ms. Wald explained that work without permits carried a higher fee when the permit was issued. Neither the Building Official nor the Inspector could change the fee.

Inspector Masula confirmed that Mr. Sigaran owed \$401.30 for the Master permit, \$504.81 for the plumbing permit and \$222.24 for the electrical permit.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 126-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, with Ms. Sheppard and Chair Nelson opposed, motion passed 5-2.

Case: CE12090938

207 Northwest 7 Avenue
SOPHER INVESTMENTS INC

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Gerry Smilen, Building Inspector, reported the building was vacant. He said the air conditioning application had failed mechanical review in July. The parking issue had not been resolved.

Raphael Sopher, owner, stated the air conditioner had been removed and a contractor was installing a new one. He had submitted plans for four parking spaces and the City also wanted a landscape plan for which he must hire an architect. Mr. Sopher requested an extension.

Inspector Smilen reminded the Board that the property was a residential house that had been used as a commercial property. He said a mechanical permit application had been submitted but the permit had never been issued.

Chair Nelson asked Mr. Sopher how he intended to use the property and Mr. Sopher stated this was a single-family home in a B-2 zone.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 126-day extension to 1/28/14, during which time no fines would accrue. In a roll call vote, with Mr. Thilborger, Mr. Elfman, Mr. Dooley, Ms. Hinton and Chair Nelson opposed, motion **failed** 2-5.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12010620

1401 Northeast 3 Avenue
CASTILLO-OLIVERA, LUIS R

This case was first heard on 6/25/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported an electrical inspection had failed on September 18 but he believed it had later passed. He recommended an extension to address the glass blocks and the windows.

Luis Castillo-Olivera, owner, reminded the Board that he had purchased the home in foreclosure unaware of the violations. He confirmed that the electrical work had passed inspection. He described the work for which he still needed a permit and requested a 126-day extension.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 126-day extension to 1/28/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12020630

1333 Northeast 2 Avenue
FALCONE, CHARLES H/E
FALCONE, JOSEPHI

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 11/27/12 to comply by 3/26/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

George Oliva, Building Inspector, stated the windows were in compliance but the shed still needed a permit. He stated the 2006 permit for the shed could be resubmitted.

Charles Falcone, owner, said he had hired someone to do the work. He did not know how long an extension he needed and requested 120 days.

Inspector Oliva said nothing for the shed had been resubmitted since May.

Motion made by Chair Nelson, seconded by Ms. Ellis, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12050122

3430 Southwest 27 Street
VUCINIC, DRAGICA

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 2/26/13 to comply by 3/26/13. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$810 and the City was requesting \$461.

George Oliva, Building Inspector, reported the case was complied on August 15. He requested \$461 for administrative costs.

Motion made by Ms. Sheppard to find that the violations were not complied by the Order date, and to impose a fine of \$270 for the days the property was out of compliance. Motion died for lack of a second.

Motion made by Mr. Dooley, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and to impose a fine of \$461 for the days the property was out of compliance. In a voice vote, with Ms. Sheppard opposed, motion passed 6-1.

Case: CE13031021

3425 Davie Blvd
REED, RONALD C

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 6/25/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

George Oliva, Building Inspector, reported that there had been no progress since July 10. He stated the units were vacant.

Ronald Reed, owner, said he was almost finished and requested additional time. He confirmed that he intended not to rent the units until the violations were complied.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13041115

201 Northeast 16 Avenue
HINDS, KEVIN &
LAYNE, PAUL J

This case was first heard on 7/23/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied.

Kevin Hinds, owner, said the existing fence could not be permitted in its current location but moving it was not possible because of a pool in the backyard. He agreed there was an issue with the sight triangle and stated he was working with Mohammed Malik, Chief Plans Examiner.

Gerry Smilen, Building Inspector, confirmed that the fence could not block the vision of traffic. He acknowledged that the fence was needed for the pool and agreed to confirm that Mr. Hinds was working with Mr. Malik.

Mr. Hinds wanted to move the fence so it no longer interfered with the sight triangle.

Motion made by Ms. Ellis, seconded by Ms. Hinton, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12020791

1851 Southwest 37 Terrace
DIAZ, RAUL E
DIAZ, JORGE L

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. There was a stipulated agreement dated June 24 to comply the violations by 8/27/13. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the violations were not complied per the agreement and fines were running. There had been no progress on the permits. Chair Nelson asked Mr. Jolly if the fines could begin accruing with no hearing. Ms. Wald confirmed that there was no Board-issued Order in place.

Violations:

FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION
WORK PERFORMED WITHOUT OBTAINING THE REQUIRED
PERMITS, INSPECTIONS AND CERTIFICATE OF OCCUPANCY
FROM THE CITY BUILDING DEPARTMENT:

1. THE ENCLOSURE OF THE OPEN PORCH INTO A SUNROOM
WITH WINDOWS AND DOORS INSTALLED.

2. A STORAGE SHED WAS INSTALLED ON THE PROPERTY.
3. INTERIOR REMODELING OF THE KITCHEN AND BATHROOMS WITH NEW CABINETS AND FIXTURES.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$100 per day, per violation.

Keith Strunin, attorney, explained that the violations were caused by the prior owner, who had died. He stated the former owner's brothers now owned the property and they were trying to short sell it to someone who had plans to renovate the property and comply the violations. Mr. Strunin confirmed the property was now vacant.

Motion made by Mr. Thilborger, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 126 days, by 1/28/14 or a fine of \$100 per day, per violation would begin to accrue and to record the order. In a voice vote, with Ms. Hinton and Chair Nelson opposed, motion passed 5-2.

Case: CE12090567

1348 Southwest 30 Street
HOLLAND, ANDREW & TABITHA

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13. This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Gerry Smilen, Building Inspector, reported the driveway permit application had been submitted and recommended a 28-day extension.

Andrew Holland, owner, requested 63 days.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13031575

1725 Southwest 5 Street
PEDELTY, JEFFREY J
PEDELTY, PETER

This case was first heard on 7/23/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, said there was no progress to report.

Peter Pedelty, owner, said the company he had hired to pull the permits had forgotten about it. Mr. Pedelty stated he now had the roof permit but he was waiting for the blueprints for the back patio.

Motion made by Ms. Ellis, seconded by Ms. Hinton, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a voice vote, with Mr. Elfman opposed, motion passed 6-1.

The Board took a brief break. When they returned, Ms. Sheppard was temporarily absent.

Case: CE12121194

318 Southwest 23 Street
ALBO INVESTMENTS LLC

Certified mail sent to the owner was accepted on 9/14/13.

Gerry Smilen, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED WITH
THE ENCLOSURE OF THE CARPORT WITHOUT A PERMIT.

FBC(2010) 105.4.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED WITH NEW
OUTLETS AND SWITCHES ADDED TO THE ENCLOSED CARPORT
WITHOUT PERMITS.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation.

Yoav Peretz, realtor, confirmed that the carport had been enclosed.

Motion made by Mr. Thilborger, seconded by Mr. Elfman, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 11/26/13 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, with Ms. Sheppard absent from the dais, motion passed 6-0.

Ms. Sheppard returned to the dais.

Case: CE12050435

3121 Southwest 16 Court
SFRH SF RENTAL LP

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS AND INSPECTIONS:

1. THIS DWELLING HAS BEEN REROOFED. THE CEMENT TILES WERE REPLACED WITH ASPHALT SHINGLES.
2. A WINDOW OPENING WAS ENCLOSED WITH CEMENT BLOCKS AT THE REAR NEXT TO THE EXTERIOR DOOR GOING TO THE BACK YARD.
3. THE FAMILY ROOM WINDOWS WERE REPLACED.
4. THE WATER HEATER WAS REPLACED.
5. SUBSTANTIAL DAMAGES ON THE WALLS AND CEILINGS CAUSED BY WATER PENETRATION FROM THE ROOF WERE REPAIRED BY REPLACING THE DAMAGED DRYWALL.
6. TWO BATHROOMS AND THE KITCHEN WERE UPGRADED WITH NEW FIXTURES AND COUNTERTOPS.
7. A CENTRAL A/C WAS INSTALLED WITH DUCTS AND AN ELECTRICAL HEATER.
8. THE WATER PUMP AND FILTER FOR THE POOL WERE REPLACED. THE ELECTRICAL SUPPLY TO THE PUMP IS BEING SUPPLIED BY AN ELECTRICAL CORD.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva stated the case was begun pursuant to an email from the Police Department regarding an open, vacant and unsafe building at this location. He

submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$50 per day, per violation. Inspector Oliva stated the current owner had purchased the property on 9/18/12.

Merielyn Chagas, owner's representative, stated they had bought the property at an auction unaware it was unsafe. She said they had hired an engineer, had plans and intended to pull permits to comply the violations.

Motion made by Mr. Thilborger, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 11/26/13 or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, with Mr. Dooley opposed, motion passed 6-1.

Case: CE11072308

300 Southwest 12 Street
CERTAIN PROPERTIES LLC

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13.

Robert Masula, Building Inspector, testified to the following violation:
FBC(2007) 110.1.1

1. A SINGLE FAMILY RESIDENCE WAS CONVERTED INTO AN OFFICE BUILDING. ZONING ALLOWS THIS TYPE OF BUSINESS TO OPERATE IN THIS DISTRICT. HOWEVER, STRUCTURAL ALTERATIONS ARE REQUIRED TO CHANGE THE USE OF THE BUILDING FROM A SINGLE FAMILY RESIDENCE INTO AN OFFICE. THE REQUIRED ALTERATIONS HAVE NOT BEEN MADE.
2. A CERTIFICATE OF OCCUPANCY IS REQUIRED.

Inspector Masula explained that there was a permit on hold because the contractor's registration had expired, but the owner also needed to obtain a change of use permit and change of occupancy. He submitted the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day.

Alan Certain Jr., owner, said he had attempted to comply with the occupancy change requirements. He stated he thought all he needed to do was pull the final permit and noted there had been no significant structural changes to the property. Mr. Certain said his experiences with the City had been very irritating and he intended to leave town as soon as he could sell this property and his house. He requested 126 days.

Motion made by Mr. Thilborger, seconded by Mr. Elfman, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 11/26/13 or a fine of \$15 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13041345

609 Southwest 6 Avenue
KLASSEN, JAMES R & CATHERINE J

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13.

Gerry Smilen, Building Inspector, testified to the following violations:

FBC(2010) 105.1

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT PERMITS:

1. A WOOD FENCE HAS BEEN INSTALLED.
2. NEW WINDOWS HAVE BEEN INSTALLED. **COMPLIED**
3. NEW DOORS HAVE BEEN INSTALLED. **COMPLIED**

FBC(2010) 105.4.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED WITH THE INSTALLATION OF SECURITY LIGHTING WITHOUT A PERMIT.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation. Inspector Smilen read an email from the owner indicating a representative would attend the meeting.

Brian Carr, owner's representative, stated Mr. Klassen's father had died recently, causing a delay in the work. He explained that the electrician had put the wrong address on the permit application the previous day so this must be corrected. Mr. Carr was trying to locate a fencing contractor to address the fence violation.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 11/26/13 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13082134

1444 Northeast 17 Avenue
KEITHLEY, SIDNEY M

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13.

Robert Masula, Building Inspector, testified to the following violation:
FBC(2010) 105.4.18

A WOOD FENCE HAS BEEN INSTALLED ON THREE SIDES OF
THE PROPERTY WITHOUT THE REQUIRED PERMIT OR
INSPECTIONS.

Inspector Masula reported the permit was ready for pickup. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$25 per day.

Sidney Keithley, owner, was present.

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 10/22/13 or a fine of \$5 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

The Board took a brief break.

Case: CE12020746

2743 E Oakland Park Boulevard
BETH-ERIC LLC

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13.

Robert Masula, Building Inspector, testified to the following violations:
FBC(2007) 105.1

INTERIOR REMODELING.

FBC(2007) 105.4.4

REMOVED AND REPLACED PLUMBING FIXTURES AND ADDED A
WASHING MACHINE HOOK-UP WITHOUT THE REQUIRED
PERMITS AND INSPECTIONS.

FBC(2007) 105.4.11

REMOVED AND REPLACED AIR CONDITIONING UNIT WITHOUT
THE REQUIRED PERMITS AND INSPECTIONS.

Inspector Masula reported the plumbing permit had been issued, but the owner still needed a mechanical permit for the air conditioning handler. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation. Inspector Masula added that the space was currently occupied, but the electrical issues had been resolved.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 11/26/13 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13061765

1115 Northeast 3 Avenue
PARAMOUNT LAND TR
PARA, LUDOVIC TRSTEE

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13.

Robert Masula, Building Inspector, testified to the following violation:
FBC(2010) 105.1

FRONT WINDOW AND FRONT DOOR WERE REPLACED WITHOUT
THE REQUIRED PERMITS.

Inspector Masula said the case was begun pursuant to a neighbor's complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$50 per day.

Motion made by Mr. Thilborger, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 10/22/13 or a fine of \$25 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13061150

1404 Northwest 3 Avenue
VILLA, ROBERT

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION
WORK PERFORMED WITHOUT OBTAINING THE REQUIRED
PERMITS AND INSPECTIONS:

1. A CENTRAL A/C HAS BEEN INSTALLED.
2. INTERIOR REMODELING IN THE KITCHEN AND
BATHROOM.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED
INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT
THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Ms. Ellis stepped down from the dais.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$50 per day, per violation.

Motion made by Mr. Thilborger, seconded by Mr. Elfman, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 10/22/13 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, with Ms. Ellis absent from the dais, motion passed 6-0.

Case: CE12111581

1930 Southwest 23 Terrace
MARTIN, ELIZABETH DE LA CARIDAD L

This case was first heard on 7/23/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied. Ms. Pryor read an email from the permit processor requesting 120 days.

George Oliva, Building Inspector, reported the permit applications had failed plan review and been resubmitted the previous Friday. The owner had asked for an additional 120 days but Inspector Oliva recommended 63 days.

Motion made by Ms. Sheppard, seconded by Mr. Thilborger, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, with Ms. Ellis absent from the dais, motion passed 6-0.

Case: CE11051035

2640 Northwest 21 Street
ILAN PROFESSIONAL DESIGN INC

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 3/27/12 to comply by 5/22/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

George Oliva, Building Inspector, reported the last inspection had been in May and there had been no progress since then. He stated the property was vacant and boarded.

Motion made by Ms. Sheppard, seconded by Mr. Thilborger, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, with Ms. Ellis absent from the dais, motion passed 6-0.

Case: CE11090745

921 Northwest 16 Terrace
GUESBY, ROBERT EST
% GUESBY, SOLOMON R

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 6/25/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

George Oliva, Building Inspector, said the owner had never applied for the permits or contacted him. He recalled that the property was occupied by a tenant.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, with Ms. Ellis absent from the dais, motion passed 6-0.

Ms. Ellis returned to the dais.

Case: CE12040823

534 Northwest 9 Avenue
MEZA, PEDRO P

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 7/23/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

George Oliva, Building Inspector, said he had left a message for the owner regarding the permit but he had not submitted an application yet.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE12061703

1301 Northwest 15 Avenue
1301 Northwest 15TH Avenue LLC

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 6/25/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

George Oliva, Building Inspector, stated that FBC(2010) 105.4.11 was not complied as stated on the agenda and this section and FBC(2010) 110.9 were the only remaining violations. He recommended a 28-day extension.

Motion made by Ms. Sheppard, seconded by Mr. Thilborger, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12071274

2600 Northwest 20 Court
PIERCE, RICKY

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 3/26/13 to comply by 4/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the \$680 fine, which would continue to accrue until the property was complied.

George Oliva, Building Inspector, reported the permit had been ready since May but the owner had not paid for it and picked it up. He reminded the Board that there were tenants in the house.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, with Mr. Elfman and Chair Nelson opposed, motion passed 5-2.

Case: CE12090219

2320 Northwest 14 Street
SME INVESTMENT GROUP LLC

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 3/26/13 to comply by 4/23/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

George Oliva, Building Inspector, said the owner had applied for permits on April 24 but the applications had failed review and the owner had never picked up the plans to make corrections.

Motion made by Mr. Thilborger, seconded by Ms. Sheppard, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE12101243

169 Vermont Avenue
WILSON, FRANCHON

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 7/23/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

George Oliva, Building Inspector, reported the owner had applied for the window permit in March and it had failed plan review. He had never applied for the other permits.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore fines of \$100 per day, per violation would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

The fines stated in the Order for this case were \$10 per day, not \$100 per day.

Motion made by Mr. Thilborger, seconded by Ms. Ellis to vacate the previous motion. In a voice vote, motion passed 7-0.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore fines of \$10 per day, per violation would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE11052482

1640 Northwest 5 Avenue
HAYEK, ELLIS

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 6/25/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Gerry Smilen, Building Inspector, reported the owner had arranged for him to meet with his friend to take photos of the property and explain what must be done to comply. Inspector Smilen recommended a 63-day extension.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 11/26/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12091361

3020 Southeast 6 Avenue
ALPAR ENTERPRISES INC

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 8/27/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Gerry Smilen, Building Inspector, reported there had been no progress and recommended imposition of the fines. He stated the property was in use as a business.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE13020221

3101 Northeast 43 Street
CRAMER, DANIEL

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13. This case was first heard on 8/27/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Robert Masula, Building Inspector, stated there was no progress to report.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE13030601

1321 Northeast 14 Street
HSBC BANK USA NA TRSTEE

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13. This case was first heard on 8/27/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Robert Masula, Building Inspector, said someone had represented himself as the owner of this property but he was not; he had been arrested and extradited for outstanding warrants in New York or New Jersey. The house had been cleared of people occupying it but other people had moved in and hooked up illegal electric service. An FPL representative then had made adjustments to the service to make it impossible for someone to create another illegal hookup.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

The Board wished to impose a fine higher than the amount stated in the original order. Ms. Pryor phoned Ms. Wald, who informed her that the Board could also impose administrative costs.

Motion made by Mr. Thilborger, seconded by Ms. Sheppard, to vacate the Board's previous motion. In a voice vote, motion passed 7-0.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order, plus administrative costs, would begin on 9/25/13 and would continue to accrue until the violations were corrected. In a voice vote, with Ms. Ellis opposed, motion passed 6-1.

Case: CE13030913

1324 Northeast 13 Avenue
REINA, MARC

Service was via posting on the property on 9/17/13 and at City Hall on 9/13/13. This case was first heard on 8/27/13 to comply by 9/24/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fines, which would begin to accrue on 9/25/13 and would continue to accrue until the property was complied.

Robert Masula, Building Inspector, reported the owner had informed him he would resubmit the fence permit but there had been no progress.

Motion made by Ms. Sheppard, seconded by Mr. Thilborger, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12070255

2611 Northwest 16 Court
B & R PROPERTY SOLUTIONS LLC

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 4/23/13 to comply by 5/28/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the \$1,800 fine, which would continue to accrue until the property was complied.

George Oliva, Building Inspector, reported there had been no progress.

Mr. Elfman informed the Board that the property may have been sold in the last week.

Motion made by Chair Nelson, seconded by Ms. Sheppard, to grant a 28-day extension to 10/22/13, during which time no fines would accrue. In a voice vote, with Ms. Ellis opposed, motion passed 6-1.

Case: CE12091316

2533 Southwest 8 Street
TUCHOW, TYLER

Service was via posting on the property on 9/16/13 and at City Hall on 9/13/13. This case was first heard on 6/25/13 to comply by 8/27/13. Violations were as noted in the agenda. The property was not complied, fines had accrued to \$6,750 and the City was requesting imposition of the fine, which would continue to accrue until the property was complied.

George Oliva, Building Inspector, said the owner had informed him that he would let the bank take back the property and he would file for bankruptcy protection.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find the violations were not complied by the Order date, and to impose the \$6,750 fine, which would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Approval of Meeting Minutes

August 2013

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to approve the minutes of the Board's August 2013 meeting. In a voice vote, motion passed 7-0.

Communication to the City Commission

None

For the Good of the City

No discussion.

Cases Complied

The below listed cases were complied. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.


CE10030617	CE12070234	CE13031452	CE13042350
CE13060697	CE12120388	CE13031274	CE13041856

Cases Withdrawn

The below listed cases were withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.

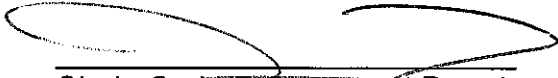
CE13050001	CE13010357
------------	------------

There being no further business to come before the Board, the meeting adjourned at 12:24 p.m.



Chair, Code Enforcement Board

ATTEST:



Clerk, Code Enforcement Board

NOTE: The agenda associated with this meeting is incorporated into this record by reference.

Minutes prepared by: Jamie Opperee, ProtoType Inc.